

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT NEW YORK

ROY STEWART MOORE and KAYLA MOORE,

Plaintiffs,

- against -

SACHA NOAM BARON COHEN, SHOWTIME
NETWORKS, INC., AND CBS CORPORATION,

Defendants.

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Index No. 19 Civ. 4977 (ALC)

**DECLARATION OF ELIZABETH A. MCNAMARA
IN SUPPORT OF DEFENDANTS' MOTION TO DISMISS**

1. I am a member of the law firm Davis Wright Tremaine LLP, attorneys for defendants Sacha Baron Cohen, Showtime Networks Inc. and CBS Corporation (collectively, the “Defendants”) in the above-captioned case. I make this supplemental declaration in support of Defendants’ motion to dismiss the Complaint in this case for the sole purpose of attaching for the Court’s convenience true and correct copies of documents that are publicly available on the Court’s CM/ECF system.

2. Attached hereto as **Exhibit 9** is a true and correct copy of the Complaint (ECF No. 1) filed on December 3, 2007 in *Psenicska v. Twentieth Century Fox Film Corp., et al.*, No. 07 Civ. 10972 (S.D.N.Y.), one of the lawsuits filed by participants in the film *BORAT – Cultural Learnings of America for Make Benefit Glorious Nation of Kazhakstan* (“*Borat*”), and ultimately dismissed in *Psenicska v. Twentieth Century Fox Film Corp.*, 2008 WL 4185752 (S.D.N.Y. Sept. 3, 2008), *aff’d*, 409 F. App’x 368 (2d Cir. 2009).

3. Attached hereto as **Exhibit 10** is a true and correct copy of the First Amended Complaint (ECF No. 4) filed on April 7, 2008 in *Streit, et al. v. Twentieth Century Fox Film Corp. et al.*, No. 08 Civ. 1571 (S.D.N.Y.), one of the lawsuits filed by participants in the *Borat*

film, and ultimately dismissed in *Psenicska v. Twentieth Century Fox Film Corp.*, 2008 WL 4185752 (S.D.N.Y. Sept. 3, 2008), *aff'd*, 409 F. App'x 368 (2d Cir. 2009).

4. Attached hereto as **Exhibit 11** is a true and correct copy of the First Amended Complaint (ECF No. 8) filed on April 11, 2008 in *Martin v. Larry Charles, et al.*, No. 08 Civ. 1828 (S.D.N.Y.), one of the lawsuits filed by participants in the *Borat* film, and ultimately dismissed in *Psenicska v. Twentieth Century Fox Film Corp.*, 2008 WL 4185752 (S.D.N.Y. Sept. 3, 2008), *aff'd*, 409 F. App'x 368 (2d Cir. 2009).

I declare under the penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct.

EXECUTED this 19th day of November 2019

/s/Elizabeth A. McNamara
Elizabeth A. McNamara